

2H

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----x
UNITED STATES OF AMERICA, :

v. :

SAUDY GUERRERO, :

Defendant. :

-----x
ORDER

S11 14 CR 768-9 (VB)

By motion dated April 6, 2022, defendant Saudy Guerrero moves for a reduction of sentence pursuant to 18 U.S.C. § 3582(c)(1)(A)(i). (Doc. #599).

The government is directed to file a response to the motion by May 2, 2022. The government's response shall, if appropriate, address the issue of exhaustion, and shall in any event address the merits of the motion.

Defendant has also requested appointment of counsel, which is denied without prejudice. “[A] defendant filing a compassionate release motion [under 18 U.S.C. § 3582(c)(1)(A)] . . . has no constitutional or statutory right to the assistance of counsel.” United States v. Fleming, 5 F.4th 189, 192 (2d Cir. 2021). “The appointment of [Criminal Justice Act] counsel at this stage rests in the court’s sole discretion.” Id. at 194 n.4. Here, defendant has submitted a detailed motion, including several attachments, and the issues presented by the motion are not complex. Accordingly, the Court sees no reason to appoint counsel at this time.

Chambers will mail a copy of this Order to defendant at the following address:

Saudy Guerrero, Reg. No. 62424-018
FCI Gilmer
Federal Correctional Institution
P.O. Box 6000
Glenville, WV 26351

Dated: April 11, 2022
White Plains, NY

SO ORDERED:

Vincent L. Briccetti
United States District Judge